

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
UNITED STATES OF AMERICA :

- v. - :

**INDICTMENT**

KHALID SHEIKH MOHAMMED, :

a/k/a "Mukhtar," :

a/k/a "Mukhtar al-Baluchi," :

a/k/a "Al-Mukh," :

a/k/a "Abdulrahman Abdullah al-Ghamdi," :

a/k/a "Salem Ali," :

WALID BIN ATTASH, :

a/k/a "Khallad Bin Attash," :

a/k/a "Saleh Saeed Mohammed Bin Yousaf," :

a/k/a "Tawfiq Muhammad Salih Bin Rashid," :

a/k/a "Silver," :

RAMZI BIN AL-SHIBH, :

a/k/a "Abu Ubaydah," :

a/k/a "Ahad Abdollahi Sabet," :

ALI ABDUL AZIZ ALI, :

a/k/a "Aliosh," :

a/k/a "Ali A," :

a/k/a "Isam Mansur," :

a/k/a "Ammar al-Baluchi," :

a/k/a "Hani," and :

MUSTAFA AL-HAWSAWI, :

a/k/a "Hashem Abdulrahman," :

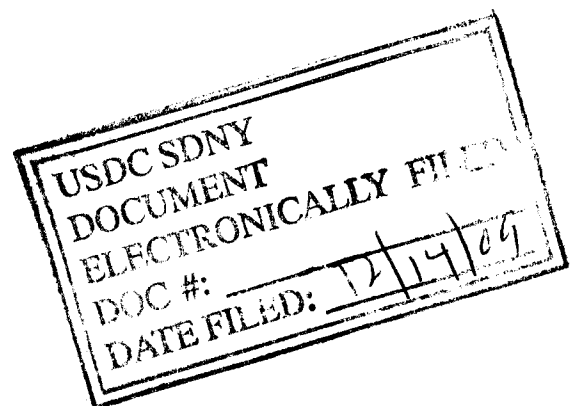
a/k/a "Hashem Abdollahi," :

a/k/a "Mustafa Ahmed," :

a/k/a "Zaher," :

a/k/a "Khal," :

Defendants. :



**THE TERRORIST ATTACKS OF SEPTEMBER 11, 2001**

(Counts One through Nine)

**COUNT ONE**

**Conspiracy to Commit Acts of Terrorism**  
**Transcending National Boundaries**

The Grand Jury charges:

**Background: al Qaeda**

1. From in or about 1989 until the date of the filing of this Indictment, an international terrorist group existed that was dedicated principally to opposing non-Islamic governments with force and violence. This organization grew out of the “mekhtab al khidemat” (the “Services Office”) organization that had maintained offices in various parts of the world, including Afghanistan, Pakistan, and the United States. The group was founded by Usama Bin Laden and others. The group called itself “al Qaeda” (“the Base”). Until in or about 1991, al Qaeda was headquartered in Afghanistan and Peshawar, Pakistan. In or about 1991, the leadership of al Qaeda, including its “emir” (leader or prince) Usama Bin Laden, relocated to the Sudan. Al Qaeda was headquartered in the Sudan from approximately 1991 until approximately 1996 but still maintained offices in various parts of the world. In 1996, Usama Bin Laden and other members of al Qaeda relocated to Afghanistan. Many loyalists demonstrated their commitment to al Qaeda by pledging an oath of allegiance (called a “bayat”) to Usama Bin Laden.

2. Usama Bin Laden and al Qaeda violently opposed the United States for several reasons. First, the United States was regarded as an “infidel” because it was not governed in a manner consistent with the group’s extremist interpretation of Islam. Second, the United

States was viewed as providing essential support for other “infidel” governments and institutions, particularly the governments of Saudi Arabia and Egypt, the nation of Israel, and the United Nations, which were regarded as enemies of al Qaeda. Third, al Qaeda opposed the involvement of the United States armed forces in the Gulf War in 1991 and in Operation Restore Hope in Somalia in 1992 and 1993. In particular, al Qaeda opposed the continued presence of American military forces in Saudi Arabia (and elsewhere on the Saudi Arabian peninsula) following the Gulf War. Fourth, al Qaeda opposed the United States Government because of the arrest, conviction, and imprisonment of persons belonging to al Qaeda or its affiliated terrorist groups or those with whom it worked.

3. For these and other reasons, Usama Bin Laden declared a “jihad,” or holy war, against the United States, which he carried out through al Qaeda and its affiliated organizations. Usama Bin Laden issued public edicts calling for terrorist attacks against the United States and the murder of Americans. Members of al Qaeda issued “fatwahs” (rulings on Islamic law) indicating that such attacks were both proper and necessary.

4. Al Qaeda functioned both on its own and through some of the terrorist organizations that operated under its umbrella, including: Egyptian Islamic Jihad, which was led by Ayman al-Zawahiri; the Islamic Group (also known as “el Gamaa Islamia” or simply “Gamaa’t”); Jema’ah Islamiyah in Southeast Asia and Australia; and jihad groups in other countries, including the Sudan, Egypt, Saudi Arabia, Yemen, Somalia, Eritrea, Djibouti, Afghanistan, Pakistan, Bosnia, Croatia, Albania, Algeria, Tunisia, Lebanon, the Philippines, Tajikistan, and Azerbaijan, as well as the Kashmir region of India and the Chechen region of Russia. Al Qaeda also maintained cells and personnel in a number of countries to facilitate its

activities, including in Kenya, Tanzania, the United Kingdom, Germany, Spain, Canada, Malaysia, Thailand, and the United States.

### **Al Qaeda's Organizational Structure**

5. Al Qaeda had a command and control structure that included a majlis al shura (or consultation council), which discussed and approved major undertakings, including terrorist operations. Among those who sat on the majlis al shura of al Qaeda were Usama Bin Laden and Muhammad Atef, a/k/a "Abu Hafs el Masry," until his death in mid-November 2001.

6. Under the majlis al shura, al Qaeda had a number of "committees," including a "military committee" that considered and approved "military" matters. Muhammad Atef sat on the military committee and, until his death, was one of Usama Bin Laden's principal military commanders. Atef was responsible for supervising the terrorist training of al Qaeda members and identifying targets for terrorist attacks that would be carried out, or sponsored, by al Qaeda.

7. In addition, al Qaeda had a "media committee," which promoted al Qaeda by, among other things, preparing and distributing promotional materials to advertise al Qaeda's terrorist agenda, intimidate its enemies, and attract recruits. KHALID SHEIKH MOHAMMED, a/k/a "Mukhtar," a/k/a "Mukhtar al-Baluchi," a/k/a "Mukh," a/k/a "Abdulrahman Abdullah al-Ghamdi," a/k/a "Salem Ali," WALID BIN ATTASH, a/k/a "Khallad Bin Attash," a/k/a "Saleh Saeed Mohammed Bin Yousaf," a/k/a "Tawfiq Muhammad Salih Bin Rashid," a/k/a "Silver," and MUSTAFA AL-HAWSAWI, a/k/a "Hashem Abdulrahman," a/k/a "Hashem Abdollahi," a/k/a "Mustafa Ahmed," a/k/a "Zaher," a/k/a "Khal," the defendants, participated in the affairs of the media committee.

### **Al Qaeda's Terrorist Training**

8. Al Qaeda sponsored, managed, and financially supported training camps in Afghanistan. At the camps, personnel of al Qaeda and its affiliated terrorist groups were instructed in the use of firearms, explosives, chemical weapons, and other weapons of mass destruction. In addition to providing training in the use of various weapons, these camps — including camps known as al Farooq, Khalden, Derunta, Khost, Siddiq, Jihad Wal, and Mes Aynak — were used to conduct operational planning against United States targets around the world and experiments in the use of chemical and biological weapons. Al Qaeda personnel and others attending the camps flew from various locations to countries neighboring Afghanistan, usually Pakistan, and then traveled to Afghanistan and the camps using ground transportation. Al Qaeda made a promotional video concerning its training camps, featuring Usama Bin Laden, which was publicly aired, in or about June 2001, on the Al-Jazeera satellite television channel, and after that time received worldwide media coverage.

9. Al Qaeda's camps were also used to train the group's personnel in operational security and counterintelligence methods. This training, some of which was reduced to writing in assorted training manuals, was designed to prepare al Qaeda personnel to avoid detection by authorities when traveling abroad to perform terrorist operations or otherwise conduct al Qaeda affairs. For example:

a. Al Qaeda personnel who were traveling abroad were instructed to avoid signaling their connection to the organization or their religious beliefs. These instructions included dressing in "Western" attire, shaving their beards, carrying no Islamic literature, and bringing cologne and cigarettes (each of which is generally forbidden in Islamic culture).

b. Al Qaeda taught its personnel to “clean” their passports before traveling abroad. This tactic typically involved eliminating from the passport any record of prior travel to destinations associated with al Qaeda (for example, Afghanistan, Pakistan, or the Sudan) by doctoring the passport or by obtaining a new or replacement passport shortly before traveling.

c. Al Qaeda required its personnel to use fake names and codes in internal communications. Al Qaeda personnel were assigned “kunya” (war names), or otherwise referred to by aliases or nicknames. Among other commonly used code words, “wedding” was used to refer to an impending terrorist operation and “honey” was used to refer to explosives and weapons.

d. Al Qaeda instructed its personnel who were traveling abroad to prepare a false “cover story” to disguise the true purpose of the travel.

e. Al Qaeda personnel were taught that information regarding a terrorist operation would be shared by al Qaeda leadership only on a “need to know” basis. Operatives would be managed by al Qaeda leadership in compartmented sections (sometimes called “cells”). In other words, the cells would be coordinated by al Qaeda leadership, but information would not necessarily be shared between the cells. A member of one cell might not know of the existence of another cell and its membership.

f. Al Qaeda taught its personnel to monitor media reporting of its operations to determine the effectiveness of their terrorist activities.

g. Al Qaeda provided counter-interrogation training to its personnel, which, among other things, required captured operatives to lie to authorities to prevent detection of an ongoing plot.

### **Al Qaeda's Calls to Violence Against Americans**

10. On various occasions, in the early 1990s, a co-conspirator not named as a defendant herein advised other members of al Qaeda that it was proper under Islam to engage in violent actions against infidels, even if others might be killed by such actions, because if the others were “innocent,” they would go to paradise, and if they were not “innocent,” then they deserved to die.

11. On or about August 23, 1996, a Declaration of Jihad was disseminated. It stated that it was from the Hindu Kush mountains in Afghanistan, and was entitled, “Message from Usamah Bin-Muhammad Bin-Laden to His Muslim Brothers in the Whole World and Especially in the Arabian Peninsula: Declaration of Jihad Against the Americans Occupying the Land of the Two Holy Mosques; Expel the Heretics from the Arabian Peninsula.”

12. In February 1998, Usama Bin Laden endorsed a fatwah under the banner of the “International Islamic Front for Jihad on the Jews and Crusaders.” This fatwah, published in the publication Al-Quds al-`Arabi on February 23, 1998, stated that Muslims should kill Americans — including civilians — anywhere they could be found.

13. In or about June 1999, in an interview with an Arabic-language television station, Usama Bin Laden issued a further threat indicating that all American males should be killed.

14. In or about September 2000, in an interview with an Arabic-language television station, Usama Bin Laden called for a “jihad” to release the “brothers” in jail “everywhere.”

### **Overview of the Plot**

15. In early 1999, in Afghanistan, Usama Bin Laden, Mohammad Atef, a/k/a “Abu Hafs el Masry,” KHALID SHEIKH MOHAMMED, the defendant, and other al Qaeda leaders planned a terrorist operation targeting U.S. interests and persons. The plan required al Qaeda operatives to hijack commercial airplanes and pilot them into prominent buildings in the United States, causing maximum casualties and destruction.

16. In late 1999 and early 2000, in Malaysia, Thailand, and elsewhere, al Qaeda personnel surveyed airports and in-flight commercial airplanes to determine means by which the group’s operatives could later evade security measures.

17. From in or about December 1999 through in or about June 2000, al Qaeda selected operatives to pilot the airplanes to be hijacked and dispatched the operatives to the United States to obtain flight training and otherwise carry out the plot. Of this group of prospective pilot hijackers, Khalid al-Mihdhar and Nawaf al-Hazmi were the first to arrive in the United States, on or about January 15, 2000. They were followed by Marwan al-Shehhi, Mohamed Atta, and Ziad Jarrah, on or about May 29, 2000, June 3, 2000, and June 27, 2000, respectively.

18. From in or about June 2000 through in or about January 2001, Marwan al-Shehhi, Mohamed Atta, and Ziad Jarrah successfully completed pilot and jet-simulator training at flight schools and training centers in Florida. Khalid al-Mihdhar and Nawaf al-Hazmi did not acquire the necessary pilot skills. Hani Hanjour traveled to the United States on or about December 8, 2000, after which he took pilot and jet-simulator training in Arizona. In 2001, Zacarias Moussaoui, a co-conspirator not named as a defendant herein, traveled to the United



States and took pilot and jet-simulator training in Oklahoma and Minnesota. Al Qaeda provided financial and logistical support to these prospective pilot hijackers while they were in the United States.

19. From in or about April 2001 through in or about June 2001, al Qaeda sent 13 additional hijackers to the United States to carry out the operation. These hijackers were supported by al Qaeda in traveling to the United States and after their arrival in the United States. These hijackers flew to the United States from Dubai, United Arab Emirates:

- a. Satam al-Suqami and Waleed al-Shehri arrived in Orlando, Florida, on or about April 23, 2001;
- b. Majed Moqed and Ahmed al-Ghamdi arrived in the Washington, D.C. area, on or about May 2, 2001;
- c. Hamza al-Ghamdi, Ahmed al-Nami, and Mohand al-Shehri arrived in Miami, Florida, on or about May 28, 2001;
- d. Ahmad al-Haznawi and Wail al-Shehri arrived in Miami, Florida, on or about June 8, 2001;
- e. Fayez Banihammad and Saeed al-Ghamdi arrived in Orlando, Florida, on or about June 27, 2001; and
- f. Abdul Aziz al-Omari and Salem al-Hazmi arrived in New York, on or about June 29, 2001.

20. From in or about May 2001 through on or about September 10, 2001, hijackers in the United States prepared for the hijacking operation by, among other activities, taking additional flight training; taking fitness training; purchasing knives; studying cross-

country commercial flights; meeting overseas with al Qaeda leadership; and coordinating activities and locations in the United States.

21. From on or about August 25, 2001, through on or about August 31, 2001, 19 hijackers purchased or reserved tickets for the flights that they would hijack. In early September 2001, hijackers sent surplus funds overseas to al Qaeda.

22. On September 11, 2001, co-conspirators Mohamed Atta, Abdul Aziz al-Omari, Wail al-Shehri, Waleed al-Shehri, and Satam al-Suqami hijacked American Airlines Flight 11, bound from Boston to Los Angeles, and flew it into the North Tower of the World Trade Center in New York City.

23. On September 11, 2001, co-conspirators Marwan al-Shehhi, Fayez Banihammad, Ahmed al-Ghamdi, Hamza al-Ghamdi, and Mohand al-Shehri hijacked United Airlines Flight 175, bound from Boston to Los Angeles, and flew it into the South Tower of the World Trade Center in New York City.

24. On September 11, 2001, co-conspirators Hani Hanjour, Khalid al-Mihdhar, Nawaf al-Hazmi, Salem al-Hazmi, and Majed Moqed hijacked American Airlines Flight 77, bound from Virginia to Los Angeles, and flew it into the Pentagon.

25. On September 11, 2001, co-conspirators Ziad Jarrah, Ahmed al-Haznawi, Saeed al-Ghamdi, and Ahmed al-Nami hijacked United Airlines Flight 93, bound from Newark to San Francisco, and after resistance from the passengers, crashed it in Somerset County, Pennsylvania. (In this Indictment, each hijacker will be identified with the flight number of the plane he hijacked.)

### **The Defendants**

26. KHALID SHEIKH MOHAMMED, a/k/a “Mukhtar,” a/k/a “Mukhtar al-Baluchi,” a/k/a “Al-Mukh,” a/k/a “Abdulrahman Abdullah al-Ghamdi,” a/k/a “Salem Ali,” the defendant, was closely associated with Usama Bin Laden, participated in the formulation of the plot resulting in the September 11, 2001 attacks, and was the plot’s operational leader.

27. WALID BIN ATTASH, a/k/a “Khallad Bin Attash,” a/k/a “Saleh Saeed Mohammed Bin Yousaf,” a/k/a “Tawfiq Muhammad Salih Bin Rashid,” a/k/a “Silver,” the defendant, was closely associated with Usama Bin Laden and participated in the plot resulting in the September 11, 2001 attacks by, among other things, collecting information on matters related to airport and airplane security measures.

28. RAMZI BIN AL-SHIBH, a/k/a “Abu Ubaydah,” a/k/a “Ahad Abdollahi Sabet,” the defendant, tried to become one of the pilot hijackers, but failed to obtain a visa for entry into the United States; instead, BIN AL-SHIBH managed the plot resulting in the September 11, 2001 attacks by, among other things, sending money to hijackers in the United States from abroad.

29. ALI ABDUL AZIZ ALI, a/k/a “Aliosh,” a/k/a “Ali A,” a/k/a “Isam Mansur,” a/k/a “Ammar al-Baluchi,” a/k/a “Hani,” the defendant, facilitated the plot resulting in the September 11, 2001 attacks by, among other things, sending money to hijackers in the United States from abroad.

30. MUSTAFA AL-HAWSAWI, a/k/a “Hashem Abdulrahman,” a/k/a “Hashem Abdollahi,” a/k/a “Mustafa Ahmed,” a/k/a “Zaher,” a/k/a “Khal,” the defendant,

facilitated the plot resulting in the September 11, 2001 attacks by, among other things, helping the hijackers travel to the United States and facilitating their efforts upon arrival.

**The Charge**

31. From in or about 1999 until on or about March 1, 2003, in the Southern District of New York and elsewhere, KHALID SHEIKH MOHAMMED, a/k/a “Mukhtar,” a/k/a “Mukhtar al-Baluchi,” a/k/a “Al-Mukh,” a/k/a “Abdulrahman Abdullah al-Ghamdi,” a/k/a “Salem Ali,” WALID BIN ATTASH, a/k/a “Khallad Bin Attash,” a/k/a “Saleh Saeed Mohammed Bin Yousaf,” a/k/a “Tawfiq Muhammad Salih Bin Rashid,” a/k/a “Silver,” RAMZI BIN AL-SHIBH, a/k/a “Abu Ubaydah,” a/k/a “Ahad Abdollahi Sabet,” ALI ABDUL AZIZ ALI, a/k/a “Aliosh,” a/k/a “Ali A,” a/k/a “Isam Mansur,” a/k/a “Ammar al-Baluchi,” a/k/a “Hani,” and MUSTAFA AL-HAWSAWI, a/k/a “Hashem Abdulrahman,” a/k/a “Hashem Abdollahi,” a/k/a “Mustafa Ahmed,” a/k/a “Zaher,” a/k/a “Khal,” the defendants, and others known and unknown, in circumstances involving conduct transcending national boundaries, and in which the mail and facilities of interstate and foreign commerce were used in furtherance of the offense, the offense obstructed, delayed, and affected interstate and foreign commerce, the victim was the United States Government, members of the uniformed services, and officials, officers, employees, and agents of the governmental branches, departments, and agencies of the United States, and the structures, conveyances, and other real and personal property were, in whole and in part, owned, possessed, and leased to the United States and its departments and agencies, unlawfully, willfully, and knowingly combined, conspired, confederated, and agreed to violate Title 18, United States Code, Section 2332b(a).

32. It was a part and an object of the conspiracy that the defendants, and others known and unknown, would and did kill, maim and assault resulting in serious bodily injury persons within the United States, in violation of Title 18, United States Code, Sections 32, 34, 111, 114, 1111, and 1114; Title 49, United States Code, Section 46502(a); New York Penal Law Sections 120.10, 120.11, and 125.27; and 18 Pa. Cons. Stat. Ann. Section 2502, to wit, the murder on and after September 11, 2001, of the 2,976 persons named on pages 45 through 80 of this Indictment, and the maiming of and serious bodily injury to hundreds more.

33. It was a further part and object of the conspiracy that the defendants, and others known and unknown, would and did create a substantial risk of serious bodily injury to other persons by destroying and damaging structures, conveyances, and other real and personal property within the United States, in violation of Title 18, United States Code, Sections 32, 34, and 844(f) and (i); New York Penal Law Sections 150.20 and 120.25; and 18 Pa. Cons. Stat. Ann. Sections 3301 and 3302(a), to wit, the destruction and damage of four commercial airplanes in New York, Virginia, and Pennsylvania; the Twin Towers of the World Trade Center and surrounding structures and property in New York City; and the Pentagon in Arlington, Virginia, resulting in the deaths on and after September 11, 2001, of the 2,976 persons named on pages 45 through 80 of this Indictment.

#### **Overt Acts**

34. In furtherance of the conspiracy, and to effect its illegal objects, the defendants, and others known and unknown, committed the following overt acts, among others, in the Southern District of New York and elsewhere:

Origin of the Plot

35. In or before 1999, in Afghanistan, KHALID SHEIKH MOHAMMED proposed to Usama Bin Laden a terrorist plot that would use airplanes as missiles to crash into buildings.

36. Thereafter, in or about 1999, in Afghanistan, KHALID SHEIKH MOHAMMED discussed with Usama Bin Laden and members of al Qaeda's "military committee" a plot in which al Qaeda operatives would hijack commercial airplanes and fly them into prominent buildings in the United States and elsewhere.

MOHAMMED Trains Hijackers

37. In or about 1999 and 2000, in Afghanistan and Pakistan, KHALID SHEIKH MOHAMMED trained the hijackers to use short-bladed knives by killing sheep and camels.

38. In or about 1999 and 2000, in Afghanistan and Pakistan, KHALID SHEIKH MOHAMMED trained the hijackers on how to conceal short-bladed knives through airport security.

39. In or about 1999 and 2000, in Afghanistan and Pakistan, KHALID SHEIKH MOHAMMED instructed the hijackers to obtain driver's licenses when they arrived in the United States to facilitate their travel and lodging.

Co-Conspirators Seek U.S. Visas

40. On or about April 3, 1999, in Yemen, WALID BIN ATTASH applied for a U.S.-entry visa, using the name "Salah Saeed Mohammed Bin Yousaf," which application was denied.

41. On or about the same day, April 3, 1999, in Jeddah, Saudi Arabia, Nawaf al-Hazmi (AA 77) applied for a U.S.-entry visa, which application was granted.

42. On or about April 7, 1999, in Jeddah, Saudi Arabia, Khalid al-Mihdhar (AA 77) applied for a U.S.-entry visa, which application was granted.

BIN ATTASH Tests Aviation Security

43. On or about December 31, 1999, WALID BIN ATTASH flew in first class on a United Airlines flight from Bangkok, Thailand, to Hong Kong, under the name "Saeed Mohammed Yousuf."

44. On or about January 1, 2000, WALID BIN ATTASH flew in first class on a United Airlines flight from Hong Kong to Bangkok, Thailand, under the name "Saeed Mohammed Yusuf."

45. On one and both of the United Airlines flights referred to in the preceding two paragraphs, WALID BIN ATTASH possessed a pocket knife and approached the cockpit to test security measures on the airplane.

46. In January 2000, WALID BIN ATTASH smuggled through airport security in Malaysia a Leatherman-type short-bladed knife.

47. On or about January 2, 2000, WALID BIN ATTASH flew from Bangkok, Thailand, to Kuala Lumpur, Malaysia, under the name "Saleh Saeed Mohammed Binyousaf."

48. On or about January 5, 2000, Khalid al-Mihdhar (AA 77) flew from Dubai, United Arab Emirates, to Kuala Lumpur, Malaysia.

49. On or about January 8, 2000, WALID BIN ATTASH, using the name "Salah Saeed Mohammed"; Nawaf al-Hazmi (AA 77); and Khalid al-Mihdhar (AA 77) flew

from Kuala Lumpur, Malaysia, to Bangkok, Thailand, on the same flight, seated in the same row of the airplane.

50. On or about January 15, 2000, Nawaf al-Hazmi (AA 77) and Khalid al-Mihdhar (AA 77) flew on the same United Airlines flight from Bangkok, Thailand, to Los Angeles, California, through Hong Kong.

51. On or about January 20, 2000, WALID BIN ATTASH flew from Bangkok, Thailand, to Karachi, Pakistan, under the name "Saleh Saeed Mohammed Binyousaf."

The Hamburg Cell

52. In or about 1999, RAMZI BIN AL-SHIBH, Mohamed Atta (AA 11), Marwan al-Shehhi (UA 175), Ziad Jarrah (UA 93), and others, were associated together in Hamburg, Germany.

53. On or about November 25, 1999, Ziad Jarrah (UA 93) flew from Hamburg, Germany, to Karachi, Pakistan, through Istanbul, Turkey.

54. On or about November 29, 1999, Mohamed Atta (AA 11) flew from Hamburg, Germany, to Karachi, Pakistan, through Istanbul, Turkey.

55. On or about December 6, 1999, RAMZI BIN AL-SHIBH flew from Hamburg, Germany, to Karachi, Pakistan, through Istanbul, Turkey.

56. In or about January 2000, RAMZI BIN AL-SHIBH, Mohamed Atta (AA 11), Mohand al-Shehri (UA 175), Ahmed al-Ghamdi (UA 175), and Saeed al-Ghamdi (UA 93) were together at an al Qaeda facility in the vicinity of Kandahar, Afghanistan.

57. On or about January 3, 2000, ALI ABDUL AZIZ ALI helped Marwan al-Shehhi (UA 175) obtain a Boeing 767-300 flight deck video.



58. On or about January 4, 2000, ALI ABDUL AZIZ ALI helped Marwan al-Shehhi (UA 175) obtain a Boeing 747 flight simulator software program.

59. On or about January 18, 2000, in Dubai, United Arab Emirates, Marwan al-Shehhi (UA 175) was issued a U.S.-entry visa.

60. On or about May 18, 2000, in Berlin, Germany, Mohamed Atta (AA 11) was issued a U.S.-entry visa.

61. On or about May 25, 2000, in Berlin, Germany, Ziad Jarrah (UA 93) was issued a U.S.-entry visa.

62. On or about May 29, 2000, Marwan al-Shehhi (UA 175) flew from Brussels, Belgium, to Newark, New Jersey.

63. On or about June 3, 2000, Mohamed Atta (AA 11) flew from Prague, Czech Republic, to Newark, New Jersey.

64. On or about June 27, 2000, Ziad Jarrah (UA 93) flew from Munich, Germany, to Atlanta, Georgia.

65. From late June 2000 through early December 2000, Ziad Jarrah (UA 93) received flight training at the Florida Flight Training Center in Venice, Florida.

66. From early July 2000 through mid-December 2000, Mohamed Atta (AA 11) and Marwan al-Shehhi (UA 175) received flight training at Huffman Aviation in Venice, Florida.

BIN AL-SHIBH Tries to Join Hijackers

67. On or about May 17, 2000, in Berlin, Germany, RAMZI BIN AL-SHIBH applied for a U.S.-entry visa, which application was denied.

68. On or about June 15, 2000, in Berlin, Germany, RAMZI BIN AL-SHIBH applied for a U.S.-entry visa, which application was denied.

69. On or about August 9, 2000, RAMZI BIN AL-SHIBH applied to enroll in a pilot training course at the Florida Flight Training Center in Venice, Florida.

70. On or about August 14, 2000, RAMZI BIN AL-SHIBH arranged to wire money from his account in Germany to the account of the Florida Flight Training Center in Venice, Florida.

71. In or about August 2000, Ziad Jarrah (UA 93) attempted to enroll RAMZI BIN AL-SHIBH in the Florida Flight Training Center in Venice, Florida.

72. On or about September 15, 2000, in Sana'a, Yemen, RAMZI BIN AL-SHIBH applied for a U.S.-entry visa, which application was denied.

73. On or about October 25, 2000, in Berlin, Germany, RAMZI BIN AL-SHIBH applied for a U.S.-entry visa, which application was denied.

MOHAMMED Deputizes BIN AL-SHIBH

74. In early- to mid-2000, KHALID SHEIKH MOHAMMED directed RAMZI BIN AL-SHIBH to serve as an intermediary between MOHAMMED and the hijackers.

Overseas Financing

75. On or about April 16, 2000, in Dubai, United Arab Emirates, ALI ABDUL AZIZ ALI, using the name "Ali," wired \$5,000 to a bank account in California.

76. On or about June 13, 2000, in Hamburg, Germany, RAMZI BIN AL-SHIBH transferred approximately \$2,700 to Marwan al-Shehhi (UA 175) in Manhattan, New York.

77. On or about June 21, 2000, in Hamburg, Germany, RAMZI BIN AL-SHIBH transferred approximately \$1,800 to Marwan al-Shehhi (UA 175) in Manhattan, New York.

78. On or about June 29, 2000, in Dubai, United Arab Emirates, ALI ABDUL AZIZ ALI, using the name "Isam Mansar," transferred \$5,000 to Marwan al-Shehhi (UA 175) in Manhattan, New York.

79. On or about July 18, 2000, in Dubai, United Arab Emirates, ALI ABDUL AZIZ ALI, using the name "Isam Mansur," transferred approximately \$10,000 into a Florida SunTrust bank account in the names of Mohamed Atta (AA 11) and Marwan al-Shehhi (UA 175).

80. On or about July 26, 2000, in Hamburg, Germany, RAMZI BIN AL-SHIBH transferred approximately \$1,700 to Marwan al-Shehhi (UA 175) in Florida.

81. On or about August 5, 2000, in Dubai, United Arab Emirates, ALI ABDUL AZIZ ALI, using the name "Isam Mansour," transferred approximately \$9,500 into a Florida SunTrust bank account in the names of Mohamed Atta (AA 11) and Marwan al-Shehhi (UA 175).

82. On or about August 29, 2000, in Dubai, United Arab Emirates, ALI ABDUL AZIZ ALI, using the name "Mr. Ali," transferred approximately \$20,000 into a Florida SunTrust bank account in the names of Mohamed Atta (AA 11) and Marwan al-Shehhi (UA 175).

83. On or about September 17, 2000, in Dubai, United Arab Emirates, ALI ABDUL AZIZ ALI, using the name "HANI (Fawaz TRDNG)," transferred approximately

\$70,000 into a Florida SunTrust bank account in the names of Mohamed Atta (AA 11) and Marwan al-Shehhi (UA 175).

84. On or about September 26, 2000, in Hamburg, Germany, RAMZI BIN AL-SHIBH transferred approximately \$4,100 to Marwan al-Shehhi (UA 175) in Florida.

MOHAMMED Manages the Plot

85. Beginning in or about April 2001, KHALID SHEIKH MOHAMMED directed the funding and logistical support of the hijackers by instructing RAMZI BIN AL-SHIBH, ALI ABDUL AZIZ ALI, and MUSTAFA AL-HAWSAWI to coordinate the movement of hijackers to the United States through the United Arab Emirates.

86. For example, in mid-April 2001, KHALID SHEIKH MOHAMMED coached RAMZI BIN AL-SHIBH on cover stories that he could teach a hijacker to use to avoid detection by border security.

87. In or about mid-April 2001, KHALID SHEIKH MOHAMMED instructed RAMZI BIN AL-SHIBH and ALI ABDUL AZIZ ALI to send tens of thousands of dollars to the hijackers already in the United States, but to send the money in multiple transfers of smaller amounts, so as to avoid detection and loss of the funds.

88. In or about mid-April 2001, KHALID SHEIKH MOHAMMED expressed frustration to RAMZI BIN AL-SHIBH that a hijacker was not traveling to the United States sooner.

89. In or about mid-April 2001, KHALID SHEIKH MOHAMMED directed MUSTAFA AL-HAWSAWI to gather certain materials when AL-HAWSAWI traveled to Kuwait.

90. In or about mid-April 2001, KHALID SHEIKH MOHAMMED advised RAMZI BIN AL-SHIBH that hijackers traveling through the United Arab Emirates at that time should contact ALI ABDUL AZIZ ALI while MUSTAFA AL-HAWSAWI was traveling.

91. In mid- to late-April 2001, through RAMZI BIN AL-SHIBH and MUSTAFA AL-HAWSAWI, KHALID SHEIKH MOHAMMED monitored the progress of a hijacker as he traveled to a country where he would apply for a new passport and a U.S.-entry visa.

92. In or about late April 2001, KHALID SHEIKH MOHAMMED asked RAMZI BIN AL-SHIBH whether hijackers in the United States had met to coordinate with each other and with other hijackers who were arriving in the United States.

93. In or about late April 2001, KHALID SHEIKH MOHAMMED advised RAMZI BIN AL-SHIBH that he would soon be sending more hijackers to assist Mohamed Atta (AA 11) in the United States.

AZIZ ALI Maintains Contact With Hijackers

94. From 2000 through in or about June 2001, hijackers in the United States placed approximately 35 telephone calls to numbers associated with ALI ABDUL AZIZ ALI.

Arrival of Additional Hijackers

95. On or about April 23, 2001, Satam al-Suqami (AA 11) and Waleed al-Shehri (AA 11) flew from Dubai, United Arab Emirates, to Orlando, Florida.

96. On or about May 2, 2001, Majed Moqed (AA 77) and Ahmed al-Ghamdi (UA 175) flew from Dubai, United Arab Emirates, to Dulles Airport in Virginia.

97. On or about May 28, 2001, Hamza al-Ghamdi (UA 175), Ahmed al-Nami

(UA 93), and Mohand al-Shehri (UA 175) flew from Dubai, United Arab Emirates, to Miami, Florida.

98. On or about June 8, 2001, Ahmad al-Haznawi (UA 93) and Wail al-Shehri (AA 11) flew from Dubai, United Arab Emirates, to Miami, Florida.

99. On or about June 27, 2001, Fayez Banihammad (UA 175) and Saeed al-Ghamdi (UA 93) flew from Dubai, United Arab Emirates, to Orlando, Florida.

100. In making reservations for the flight referred to in the preceding paragraph, Fayez Banihammad (UA 175) and Saeed al-Ghamdi (UA 93) each provided the contact telephone number 0505209905, a cellular telephone associated with MUSTAFA AL-HAWSAWI (the "AL-HAWSAWI Phone").

101. On or about June 29, 2001, Abdul Aziz al-Omari (AA 11) and Salem al-Hazmi (AA 77) flew from Dubai, United Arab Emirates, to New York.

102. In making reservations for the flight referred to in the preceding paragraph, Abdul Aziz al-Omari (AA 11) and Salem al-Hazmi (AA 77) each provided the AL-HAWSAWI Phone as a contact telephone number.

103. On or about July 4, 2001, Khalid al-Mihdhar (AA 77) flew from Riyadh, Saudi Arabia, to New York.

BIN ATTASH Videotapes Hijacker's Martyr Will

104. Before July 4, 2001, in an overseas location, WALID BIN ATTASH videotaped Khalid al-Mihdhar (AA 77) reading a martyr will.

AL-HAWSAWI's Support of Banihammad

105. On or about June 25, 2001, MUSTAFA AL-HAWSAWI opened fixed

deposit, current, and credit card accounts at a Standard Chartered Bank branch in Sharjah, United Arab Emirates (collectively, the “AL-HAWSAWI Accounts”).

106. On or about June 25, 2001, at the Standard Chartered Bank branch referred to in the preceding paragraph, Fayeze Banihammad (UA 175) opened fixed deposit, current, and credit card accounts (collectively, the “Banihammad Accounts”).

107. On or about June 25, 2001, Fayeze Banihammad (UA 175) gave MUSTAFA AL-HAWSAWI written authority to pick up items connected to the Banihammad Accounts, namely, ATM and Visa cards, and associated access codes.

108. On or about July 23, 2001, MUSTAFA AL-HAWSAWI caused the Visa card connected to the Banihammad Accounts to be shipped from the United Arab Emirates to Fayeze Banihammad (UA 175) in Florida.

109. On or about August 1, 2001, the Visa card connected to the Banihammad Accounts was used to make three ATM withdrawals in North Boca Raton, Florida.

110. On or about August 21, 2001, approximately \$4,900 was deposited into the Banihammad Accounts in Sharjah, United Arab Emirates.

111. On or about August 22, 2001, the Visa card connected to the Banihammad Accounts was used to withdraw approximately \$4,800 at a bank in Boynton Beach, Florida, in the vicinity of where Fayeze Banihammad (US 175) was living.

AL-HAWSAWI Maintains Contact With Hijackers

112. From in or about July 2001 through and including September 11, 2001, hijackers in the United States placed approximately 50 telephone calls to numbers associated with MUSTAFA AL-HAWSAWI.

Cross-Country Surveillance Flights

113. In or about May 2001, KHALID SHEIKH MOHAMMED instructed Mohamed Atta (AA 11) and Marwan al-Shehhi (UA 175) to take cross-country flights to study in-flight security measures.

114. On or about May 24, 2001, Marwan al-Shehhi (UA 175) flew first class from New York to San Francisco.

115. On or about June 7, 2001, Ziad Jarrah (UA 93) flew first class from Hanover, Maryland, to Los Angeles.

116. On or about June 28, 2001, Mohamed Atta (AA 11) flew first class from Boston to San Francisco.

117. On or about July 31, 2001, Waleed al-Shehri (AA 11) flew first class from Boston to San Francisco.

118. On or about August 13, 2001, Hani Hanjour (AA 77) flew first class from Washington, D.C., to Los Angeles.

BIN AL-SHIBH Maintains Contact With Hijackers

119. In or about July 2001, hijackers in the United States placed more than 70 telephone calls to numbers associated with RAMZI BIN AL-SHIBH.

The Spain Meeting

120. On or about July 7, 2001, Mohamed Atta (AA 11) flew from Miami, Florida, to Zurich, Switzerland.

121. On or about July 8, 2001, Mohamed Atta (AA 11) flew from Zurich, Switzerland, to Madrid, Spain.



122. On or about July 8, 2001, in Hamburg, Germany, RAMZI BIN AL-SHIBH purchased an airline ticket to Tarragona, Spain.

123. From on or about July 9, 2001, through on or about July 16, 2001, RAMZI BIN AL-SHIBH and Mohamed Atta (AA 11) were in Tarragona, Spain, where they met and discussed, among other aspects of the plot, potential targets for the hijacking attacks.

124. After leaving Spain, RAMZI BIN AL-SHIBH reported to KHALID SHEIKH MOHAMMED about the meeting with Mohamed Atta (AA 11).

125. Thereafter, KHALID SHEIKH MOHAMMED instructed RAMZI BIN AL-SHIBH and MUSTAFA AL-HAWSAWI to take the actions described below, in paragraphs 128 through 131.

MOHAMMED Applies for U.S. Visa

126. On or about July 23, 2001, in Jeddah, Saudi Arabia, KHALID SHEIKH MOHAMMED applied for a U.S.-entry visa, using the name "Abdulrahman A.A. Al-Ghamdi," which application was denied.

Jarrah Travels to Germany

127. On or about July 25, 2001, Ziad Jarrah (UA 93) traveled from the United States to Germany.

Money Transfers to Moussaoui

128. On or about July 30, 2001, MUSTAFA AL-HAWSAWI, using the name "Hashem Abderahman," sent \$5,000 from the United Arab Emirates to RAMZI BIN AL-SHIBH, who received the money in Hamburg, Germany, using the name "Ahad Abdollahi Sabet."

129. On or about July 31, 2001, MUSTAFA AL-HAWSAWI, using the name

“Hashim Abdourahman,” sent \$10,000 from the United Arab Emirates to RAMZI BIN AL-SHIBH, who received the money in Hamburg, Germany, using the name “Ahad Abdollani Sabet.”

130. On or about August 1, 2001, RAMZI BIN AL-SHIBH, using the name “Ahad Abdollahi Sabet,” sent approximately \$10,000 from Dusseldorf, Germany, to Zacarias Moussaoui in Oklahoma.

131. On or about August 3, 2001, RAMZI BIN AL-SHIBH, using the name “Ahad Abdollahi Sabet,” sent approximately \$4,000 from Hamburg, Germany, to Zacarias Moussaoui in Oklahoma.

#### Co-Conspirator Tries to Enter the United States

132. On or about August 4, 2001, a co-conspirator not named as a defendant herein (“Co-Conspirator 1”) flew from Dubai, United Arab Emirates, to Orlando International Airport, in Florida.

133. In making reservations for the flight referred to in the preceding paragraph, Co-Conspirator 1 provided the AL-HAWSAWI Phone as a contact telephone number.

134. At or about the time of Co-Conspirator 1’s arrival, Mohamed Atta (AA 11) was at the Orlando International Airport, where he placed calls to the AL-HAWSAWI Phone.

135. Later that day, Co-Conspirator 1 was denied entry into the United States and took a return flight to Dubai through London.

#### The Las Vegas Meeting

136. In summer 2001, KHALID SHEIKH MOHAMMED instructed some of the hijackers to meet in Las Vegas to make final preparations.

137. On or about August 13, 2001, Mohamed Atta (AA 11) flew from Reagan National Airport in Virginia to Las Vegas, Nevada.

138. On or about August 13, 2001, Hani Hanjour (AA 77) and Nawaf al-Hazmi (AA 77) flew together from Virginia to Las Vegas, Nevada.

Purchases of Knives

139. On or about August 3, 2001, in Oklahoma City, Oklahoma, Zacarias Moussaoui purchased two knives.

140. On or about August 13, 2001, in Boynton Beach, Florida, Marwan al-Shehhi (UA 175) purchased two knives.

141. On or about August 13, 2001, in Boynton Beach, Florida, Fayed Banihammad (UA 175) purchased a knife set.

142. On or about August 16, 2001, in Eagan, Minnesota, Zacarias Moussaoui was in possession of a Leatherman-type short-bladed knife set.

143. On or about August 27, 2001, in Laurel, Maryland, Nawaf al-Hazmi (AA 77) purchased a Leatherman-type short-bladed knife set.

144. On or about August 30, 2001, in Boynton Beach, Florida, Hamza al-Ghamdi (UA 175) purchased a Leatherman-type short-bladed knife set.

Attack Date Is Communicated to al Qaeda Leadership

145. In late August 2001, KHALID SHEIKH MOHAMMED was advised of the date that the hijacking attacks would be carried out, and MOHAMMED notified Usama Bin Laden of it.

146. In early September 2001, in Afghanistan, WALID BIN ATTASH was

advised of the date that the hijacking attacks would be carried out.

AZIZ ALI Tries to Join Hijackers

147. On or about August 27, 2001, in the United Arab Emirates, ALI ABDUL AZIZ ALI applied for a U.S.-entry visa, which application was denied. On the application, AZIZ ALI indicated that he expected to travel to the United States on September 4, 2001, and that he expected to stay “one week” (i.e., until September 11, 2001).

148. Shortly thereafter, when KHALID SHEIKH MOHAMMED learned that ALI ABDUL AZIZ ALI’s application for a visa had been denied, MOHAMMED sent a message that AZIZ ALI should travel to meet MOHAMMED.

Hijackers Return Excess Funds

149. On or about September 4, 2001, Mohamed Atta (AA 11) sent a package via Federal Express to a post office box in the United Arab Emirates used by MUSTAFA AL-HAWSAWI.

150. On or about September 5, 2001, Fayez Banihammad (UA 175) wired approximately \$8,000 from his Florida SunTrust account to the Banihammad Accounts over which MUSTAFA AL-HAWSAWI had authority and control.

151. On or about September 8, 2001, Mohamed Atta (AA 11) wired approximately \$2,860 to “Mustafa Ahmed” in the United Arab Emirates.

152. On or about September 8, 2001, Mohamed Atta (AA 11) wired \$5,000 to “Mustafa Ahmed” in the United Arab Emirates.

153. On or about September 9, 2001, Waleed al-Shehri (AA 11) wired \$5,000 to “Ahanad Mustafa” in the United Arab Emirates.

154. On or about September 10, 2001, Marwan al-Shehhi (UA 175) wired \$5,400 to "Mustafa Ahmad" in the United Arab Emirates.

155. On or about September 10, 2001, Nawaf al-Hazmi (AA 77) mailed the ATM card for the First Union bank account of Khalid al-Mihdhar (AA 77) to a post office box used by MUSTAFA AL-HAWSAWI in the United Arab Emirates. Al-Mihdhar's account had a balance of approximately \$10,000 at the time.

156. On or about September 11, 2001, in the United Arab Emirates, approximately \$16,348 was deposited into the AL-HAWSAWI Accounts.

BIN AL-SHIBH Flees

157. On or about September 3, 2001, in Germany, RAMZI BIN AL-SHIBH, using the name "Ahad Abdollahi Sabet," received \$1,500 that was sent by MUSTAFA AL-HAWSAWI, using the name "Hashem Abdollahi."

158. On or about September 5, 2001, RAMZI BIN AL-SHIBH traveled from Dusseldorf, Germany, to Madrid, Spain, and did not return to Germany.

159. On or shortly before September 9, 2001, RAMZI BIN AL-SHIBH was in Dubai, United Arab Emirates, where he instructed ALI ABDUL AZIZ ALI and MUSTAFA AL-HAWSAWI to depart the United Arab Emirates.

160. On or shortly before September 11, 2001, RAMZI BIN AL-SHIBH departed the United Arab Emirates.

161. On or about September 12, 2001, RAMZI BIN AL-SHIBH was in Afghanistan.

AZIZ ALI Flees

162. On or about September 9, 2001, in the United Arab Emirates, ALI ABDUL AZIZ ALI made a one-way reservation to travel from Dubai to Karachi, Pakistan.

163. On or about September 10, 2001, in the United Arab Emirates, ALI ABDUL AZIZ ALI withdrew nearly all the balance from two bank accounts.

164. Later on or about September 10, 2001, ALI ABDUL AZIZ ALI flew from Dubai to Karachi, Pakistan, on a one-way ticket.

AL-HAWSAWI Flees

165. On or about September 11, 2001, in the United Arab Emirates, at about 9:22 a.m. local time (the early morning hours of Eastern Daylight Time), MUSTAFA AL-HAWSAWI moved approximately \$6,534 of the \$8,000 in the Banihammad Accounts into the AL-HAWSAWI Accounts, using a check dated September 10, 2001; AL-HAWSAWI then withdrew approximately \$1,361, nearly all the remaining balance in the Banihammad Accounts, by ATM cash withdrawal.

166. On or about September 11, 2001, in the United Arab Emirates, approximately \$40,871 was prepaid to a Visa card connected to the AL-HAWSAWI Accounts.

167. On or about September 11, 2001, MUSTAFA AL-HAWSAWI left the United Arab Emirates for Pakistan.

The September 11, 2001 Terrorist Attacks

168. On September 11, 2001, the hijackers possessed a handwritten set of final instructions for a martyrdom operation using knives on an airplane.

169. On September 11, 2001, Mohamed Atta, Abdul Aziz al-Omari, Satam al-

Suqami, Waleed al-Shehri, and Wail al-Shehri hijacked American Airlines Flight 11, a Boeing 767, which had departed from Boston bound for Los Angeles at 7:59 a.m. They flew Flight 11 into the North Tower of the World Trade Center in Manhattan at 8:46 a.m., causing the collapse of the tower, great damage and destruction to other structures and property, and injury and death to thousands of persons.

170. On September 11, 2001, Marwan al-Shehhi, Hamza al-Ghamdi, Fayez Banihammad, Mohand al-Shehri, and Ahmed al-Ghamdi hijacked United Airlines Flight 175, a Boeing 767, which had departed from Boston bound for Los Angeles at 8:14 a.m. They flew Flight 175 into the South Tower of the World Trade Center in Manhattan at 9:03 a.m., causing the collapse of the tower, great damage and destruction to other structures and property, and injury and death to thousands of persons.

171. On September 11, 2001, Hani Hanjour, Khalid al-Mihdhar, Majed Moqed, Nawaf al-Hazmi, and Salem al-Hazmi hijacked American Airlines Flight 77, a Boeing 757, which had departed from Virginia bound for Los Angeles at 8:20 a.m. They flew Flight 77 into the Pentagon in Virginia at 9:37 a.m., causing great damage and destruction to property and injury and death to hundreds of persons.

172. On September 11, 2001, Ziad Jarrah, Saeed al-Ghamdi, Ahmed al-Nami, and Ahmed al-Haznawi hijacked United Airlines Flight 93, a Boeing 757, which had departed from Newark, New Jersey, bound for San Francisco at 8:42 a.m. After resistance by the passengers, the hijackers crashed Flight 93 in Somerset County, Pennsylvania, at approximately 10:03 a.m., killing all on board.

Bin Laden and BIN ATTASH Hear News of the Attacks

173. On September 11, 2001, WALID BIN ATTASH was with Usama Bin Laden in Afghanistan when they heard for the first time that airplanes had struck the World Trade Center.

174. Shortly thereafter, Usama Bin Laden instructed WALID BIN ATTASH to travel to the Tora Bora region of Afghanistan and prepare the area by digging trenches and stockpiling food, weapons, and ammunition.

Withdrawals of Hijackers' Excess Funds

175. On or about August 25, 2001, in the United Arab Emirates, MUSTAFA AL-HAWSAWI applied for a supplemental Visa card connected to the AL-HAWSAWI Accounts, which application was made in the name "Abdulrahman Abdullah al-Ghamdi," an alias used by KHALID SHEIKH MOHAMMED. The application was supported by documentation associated with MOHAMMED, including his photograph.

176. On or about September 13, 2001, the supplemental Visa card connected to the AL-HAWSAWI Accounts was used to make six ATM withdrawals in Karachi, Pakistan.

Post-Attack Propaganda and Efforts to Avoid Capture

177. On or about October 7, 2001, a video was aired on the Al-Jazeera satellite television channel in which Usama Bin Laden praised the September 11, 2001 attacks.

178. After September 11, 2001, RAMZI BIN AL-SHIBH and MUSTAFA AL-HAWSAWI met with Usama Bin Laden in Afghanistan. The meeting was videotaped.

179. On or about September 10, 2002, Usama Bin Laden videotaped a message in which he identified the 19 hijackers by name and "kunya."



180. On or about March 1, 2003, KHALID SHEIKH MOHAMMED and MUSTAFA AL-HAWSAWI were present at a safe house where they possessed false identification and materials related to al Qaeda and the planning and execution of the September 11, 2001 attacks.

(Title 18, United States Code, Section 2332b(a)(2) & (c)(1)(a).)

## **COUNT TWO**

### **Acts of Terrorism Transcending National Boundaries**

The Grand Jury further charges:

181. The allegations in paragraphs 1 through 30 and 34 through 180 are repeated.

182. From in or about 1999 until on or about September 11, 2001, in the Southern District of New York and elsewhere, KHALID SHEIKH MOHAMMED, a/k/a “Mukhtar,” a/k/a “Mukhtar al-Baluchi,” a/k/a “Al-Mukh,” a/k/a “Abdulrahman Abdullah al-Ghamdi,” a/k/a “Salem Ali,” WALID BIN ATTASH, a/k/a “Khallad Bin Attash,” a/k/a “Saleh Saeed Mohammed Bin Yousaf,” a/k/a “Tawfiq Muhammad Salih Bin Rashid,” a/k/a “Silver,” RAMZI BIN AL-SHIBH, a/k/a “Abu Ubaydah,” a/k/a “Ahad Abdollahi Sabet,” ALI ABDUL AZIZ ALI, a/k/a “Aliosh,” a/k/a “Ali A,” a/k/a “Isam Mansur,” a/k/a “Ammar al-Baluchi,” a/k/a “Hani,” and MUSTAFA AL-HAWSAWI, a/k/a “Hashem Abdulrahman,” a/k/a “Hashem Abdollahi,” a/k/a “Mustafa Ahmed,” a/k/a “Zaher,” a/k/a “Khal,” the defendants, and others known and unknown, in circumstances involving conduct transcending national boundaries, and in which the mail and facilities of interstate and foreign commerce were used in furtherance of the offense, the offense obstructed, delayed, and affected interstate and foreign commerce, the

victim was the United States Government, members of the uniformed services, and officials, officers, employees, and agents of the governmental branches, departments, and agencies of the United States, and the structures, conveyances, and other real and personal property were, in whole and in part, owned, possessed, and leased to the United States and its departments and agencies, unlawfully, willfully, and knowingly (1) killed, maimed, and assaulted resulting in serious bodily injury thousands of persons within the United States, including the 2,976 murdered persons named on pages 45 through 80 of this Indictment, in violation of Title 18, United States Code, Sections 32, 34, 111, 114, 1111, and 1114; Title 49, United States Code, Section 46502(a); New York Penal Law Sections 120.10, 120.11, and 125.27; and 18 Pa. Cons. Stat. Ann. Section 2502, and (2) created a substantial risk of serious bodily injury to other persons by destroying and damaging structures, conveyances, and other real and personal property within the United States, namely, four commercial airplanes in New York, Virginia, and Pennsylvania; the Twin Towers of the World Trade Center and surrounding structures and property in New York City; and the Pentagon in Arlington, Virginia, in violation of Title 18, United States Code, Sections 32, 34, and 844(f) and (i); New York Penal Law Sections 150.20 and 120.25; and 18 Pa. Cons. Stat. Ann. Sections 3301 and 3302(a).

(Title 18, United States Code, Sections 2332b(a)(1) & (c)(1)(A) and 2.)

### **COUNT THREE**

#### **Conspiracy to Commit Violent Acts and Destroy Aircraft**

The Grand Jury further charges:

183. The allegations in paragraphs 1 through 30 and 34 through 180 are repeated.

184. From in or about 1999 until on or about March 1, 2003, in the Southern District of New York and elsewhere, KHALID SHEIKH MOHAMMED, a/k/a “Mukhtar,” a/k/a “Mukhtar al-Baluchi,” a/k/a “Al-Mukh,” a/k/a “Abdulrahman Abdullah al-Ghamdi,” a/k/a “Salem Ali,” WALID BIN ATTASH, a/k/a “Khallad Bin Attash,” a/k/a “Saleh Saeed Mohammed Bin Yousaf,” a/k/a “Tawfiq Muhammad Salih Bin Rashid,” a/k/a “Silver,” RAMZI BIN AL-SHIBH, a/k/a “Abu Ubaydah,” a/k/a “Ahad Abdollahi Sabet,” ALI ABDUL AZIZ ALI, a/k/a “Aliosh,” a/k/a “Ali A,” a/k/a “Isam Mansur,” a/k/a “Ammar al-Baluchi,” a/k/a “Hani,” and MUSTAFA AL-HAWSAWI, a/k/a “Hashem Abdulrahman,” a/k/a “Hashem Abdollahi,” a/k/a “Mustafa Ahmed,” a/k/a “Zaher,” a/k/a “Khal,” the defendants, and others known and unknown, unlawfully, willfully, and knowingly combined, conspired, confederated, and agreed to violate Title 18, United States Code, Section 32.

185. It was a part and an object of the conspiracy that the defendants, and others known and unknown, would and did destroy and wreck aircraft in the special aircraft jurisdiction of the United States, in violation of Title 18, United States Code, Section 32(a)(1), to wit, the hijacking and destruction of American Airlines Flight 11, United Airlines Flight 175, American Airlines Flight 77, and United Airlines Flight 93, resulting in the deaths on and after September 11, 2001, of the 2,976 persons named on pages 45 through 80 of this Indictment.

186. It was a further part and object of the conspiracy that the defendants, and others known and unknown, would and did perform acts of violence against and incapacitate individuals on aircraft in the special aircraft jurisdiction of the United States, so as likely to endanger the safety of such aircraft, in violation of Title 18, United States Code, Section 32(a)(5) (2001), to wit, the hijacking and destruction of American Airlines Flight 11, United Airlines

Flight 175, American Airlines Flight 77, and United Airlines Flight 93, resulting in the deaths on and after September 11, 2001, of the 2,976 persons named on pages 45 through 80 of this Indictment.

**Overt Acts**

187. In furtherance of the conspiracy, and to effect its illegal objects, the defendants, and others known and unknown, committed the overt acts set forth in Count One of this Indictment, which are fully incorporated by reference.

(Title 18, United States Code, Sections 32(a)(7) (2001) and 34.)

**COUNT FOUR**

**Violence on and Destruction of Aircraft**

The Grand Jury further charges:

188. The allegations in paragraphs 1 through 30 and 34 through 180 are repeated.

189. From in or about 1999 until on or about September 11, 2001, in the Southern District of New York and elsewhere, KHALID SHEIKH MOHAMMED, a/k/a “Mukhtar,” a/k/a “Mukhtar al-Baluchi,” a/k/a “Al-Mukh,” a/k/a “Abdulrahman Abdullah al-Ghamdi,” a/k/a “Salem Ali,” WALID BIN ATTASH, a/k/a “Khallad Bin Attash,” a/k/a “Saleh Saeed Mohammed Bin Yousaf,” a/k/a “Tawfiq Muhammad Salih Bin Rashid,” a/k/a “Silver,” RAMZI BIN AL-SHIBH, a/k/a “Abu Ubaydah,” a/k/a “Ahad Abdollahi Sabet,” ALI ABDUL AZIZ ALI, a/k/a “Aliosh,” a/k/a “Ali A,” a/k/a “Isam Mansur,” a/k/a “Ammar al-Baluchi,” a/k/a “Hani,” and MUSTAFA AL-HAWSAWI, a/k/a “Hashem Abdulrahman,” a/k/a “Hashem Abdollahi,” a/k/a “Mustafa Ahmed,” a/k/a “Zaher,” a/k/a “Khal,” the defendants, and others

known and unknown, unlawfully, willfully, and knowingly destroyed and wrecked aircraft in the special aircraft jurisdiction of the United States, and performed acts of violence against and incapacitated individuals on such aircraft, so as likely to endanger the safety of such aircraft, to wit, the hijacking and destruction of American Airlines Flight 11 and United Airlines Flight 175, resulting in the deaths on and after September 11, 2001, of the first 2,752 persons named on pages 45 through 80 of this Indictment.

(Title 18, United States Code, Sections 32(a)(1) & (5) (2001), 34, and 2.)

**COUNT FIVE**

**Conspiracy to Commit Aircraft Piracy**

The Grand Jury further charges:

190. The allegations in paragraphs 1 through 30 and 34 through 180 are repeated.

191. From in or about 1999 until on or about March 1, 2003, in the Southern District of New York and elsewhere, KHALID SHEIKH MOHAMMED, a/k/a "Mukhtar," a/k/a "Mukhtar al-Baluchi," a/k/a "Al-Mukh," a/k/a "Abdulrahman Abdullah al-Ghamdi," a/k/a "Salem Ali," WALID BIN ATTASH, a/k/a "Khallad Bin Attash," a/k/a "Saleh Saeed Mohammed Bin Yousaf," a/k/a "Tawfiq Muhammad Salih Bin Rashid," a/k/a "Silver," RAMZI BIN AL-SHIBH, a/k/a "Abu Ubaydah," a/k/a "Ahad Abdollahi Sabet," ALI ABDUL AZIZ ALI, a/k/a "Aliosh," a/k/a "Ali A," a/k/a "Isam Mansur," a/k/a "Ammar al-Baluchi," a/k/a "Hani," and MUSTAFA AL-HAWSAWI, a/k/a "Hashem Abdulrahman," a/k/a "Hashem Abdollahi," a/k/a "Mustafa Ahmed," a/k/a "Zaher," a/k/a "Khal," the defendants, and others known and unknown, unlawfully, willfully, knowingly, and with wrongful intent, combined, conspired, confederated,

and agreed to commit aircraft piracy, by seizing and exercising control of aircraft in the special aircraft jurisdiction of the United States by force, violence, threat of force and violence, and intimidation, to wit, the hijacking and destruction of American Airlines Flight 11, United Airlines Flight 175, American Airlines Flight 77, and United Airlines Flight 93, resulting in the deaths on and after September 11, 2001, of the 2,976 persons named on pages 45 through 80 of this Indictment.

**Overt Acts**

192. In furtherance of the conspiracy, and to effect its illegal objects, the defendants, and others known and unknown, committed the overt acts set forth in Count One of this Indictment, which are fully incorporated by reference.

(Title 49, United States Code, Section 46502(a)(1)(A) & (a)(2)(B).)

**COUNT SIX**

**Aircraft Piracy**

The Grand Jury further charges:

193. The allegations in paragraphs 1 through 30 and 34 through 180 are repeated.

194. From in or about 1999 until on or about September 11, 2001, in the Southern District of New York and elsewhere, KHALID SHEIKH MOHAMMED, a/k/a "Mukhtar," a/k/a "Mukhtar al-Baluchi," a/k/a "Al-Mukh," a/k/a "Abdulrahman Abdullah al-Ghamdi," a/k/a "Salem Ali," WALID BIN ATTASH, a/k/a "Khallad Bin Attash," a/k/a "Saleh Saeed Mohammed Bin Yousaf," a/k/a "Tawfiq Muhammad Salih Bin Rashid," a/k/a "Silver," RAMZI BIN AL-SHIBH, a/k/a "Abu Ubaydah," a/k/a "Ahad Abdollahi Sabet," ALI ABDUL

AZIZ ALI, a/k/a “Aliosh,” a/k/a “Ali A,” a/k/a “Isam Mansur,” a/k/a “Ammar al-Baluchi,” a/k/a “Hani,” and MUSTAFA AL-HAWSAWI, a/k/a “Hashem Abdulrahman,” a/k/a “Hashem Abdollahi,” a/k/a “Mustafa Ahmed,” a/k/a “Zaher,” a/k/a “Khal,” the defendants, and others known and unknown, unlawfully, willfully, knowingly, and with wrongful intent, committed aircraft piracy, by seizing and exercising control of aircraft in the special aircraft jurisdiction of the United States by force, violence, threat of force and violence, and intimidation, to wit, the hijacking and destruction of American Airlines Flight 11 and United Airlines Flight 175, resulting in the deaths on and after September 11, 2001, of the first 2,752 persons named on pages 45 through 80 of this Indictment.

(Title 49, United States Code, Sections 46502(a)(1)(A) & (a)(2)(B) and 2.)

### **COUNTS SEVEN AND EIGHT**

#### **Murder of United States Officers and Employees**

The Grand Jury further charges:

195. The allegations in paragraphs 1 through 30 and 34 through 180 are repeated.

196. From in or about 1999 until on or about September 11, 2001, in the Southern District of New York and elsewhere, KHALID SHEIKH MOHAMMED, a/k/a “Mukhtar,” a/k/a “Mukhtar al-Baluchi,” a/k/a “Al-Mukh,” a/k/a “Abdulrahman Abdullah al-Ghamdi,” a/k/a “Salem Ali,” WALID BIN ATTASH, a/k/a “Khallad Bin Attash,” a/k/a “Saleh Saeed Mohammed Bin Yousaf,” a/k/a “Tawfiq Muhammad Salih Bin Rashid,” a/k/a “Silver,” RAMZI BIN AL-SHIBH, a/k/a “Abu Ubaydah,” a/k/a “Ahad Abdollahi Sabet,” ALI ABDUL AZIZ ALI, a/k/a “Aliosh,” a/k/a “Ali A,” a/k/a “Isam Mansur,” a/k/a “Ammar al-Baluchi,” a/k/a

“Hani,” and MUSTAFA AL-HAWSAWI, a/k/a “Hashem Abdulrahman,” a/k/a “Hashem Abdollahi,” a/k/a “Mustafa Ahmed,” a/k/a “Zaher,” a/k/a “Khal,” the defendants, and others known and unknown, unlawfully, willfully, deliberately, with premeditation and malice aforethought, and perpetrated from a premeditated design unlawfully and maliciously to effect the death of a human being other than him who is killed, killed an officer and employee of the United States and agencies and branches thereof, while such officer and employee was engaged in, and on account of, the performance of official duties, to wit, the deaths of the following persons at the World Trade Center in New York City on September 11, 2001:

<u>Count</u>	<u>Victim</u>
Seven	Federal Officer Victim 1
Eight	Federal Officer Victim 2

(Title 18, United States Code, Sections 1111, 1114 and 2.)

### **COUNT NINE**

#### **Destruction of the Twin Towers**

The Grand Jury further charges:

197. The allegations in paragraphs 1 through 30 and 34 through 180 are repeated.

198. From in or about 1999 until on or about September 11, 2001, in the Southern District of New York and elsewhere, KHALID SHEIKH MOHAMMED, a/k/a “Mukhtar,” a/k/a “Mukhtar al-Baluchi,” a/k/a “Al-Mukh,” a/k/a “Abdulrahman Abdullah al-Ghamdi,” a/k/a “Salem Ali,” WALID BIN ATTASH, a/k/a “Khallad Bin Attash,” a/k/a “Saleh , Saeed Mohammed Bin Yousaf,” a/k/a “Tawfiq Muhammad Salih Bin Rashid,” a/k/a “Silver,”